

CITY OF FRANKLIN
PLAN COMMISSION MEETING MINUTES
AUGUST 7, 2003

Approved as amended
September 18, 2003

CALL TO ORDER

- I. Alderman Dorsan called the regular meeting of the Plan Commission of August 7, 2003, to order at 7:03 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

Present were Alderman Dorsan, Commissioners Ritter, Knueppel, Skowronski, Ziegenhagen, and City Engineer John Bennett. Also present was Planning Manager Mary Kay Buratto.

**MINUTES-
6/19/2003, 7/17/03,
and 7/24/03**

- II. Commissioner Skowronski moved to approve the minutes of the regular meeting of June 19, 2003 with the following amendments: that the discussion on items #IV.D. and IV.G. be removed and that items erroneously numbered III.G., IV. and V. on page should be renumbered correctly.

Upon voice vote, all voted 'aye'. Motion carried.

Commissioner Skowronski moved to table approval of the minutes of the regular meeting of July 17, 2003 to the August 21, 2003 meeting to be brought back with amendments to the narrative in items IV.C. and to insert the correct name of the second to the motion for item #IV.G., seconded by Commissioner Bennett.

Upon voice vote, all voted 'aye'. Motion carried.

Commissioner Skowronski moved to approve the minutes of the regular meeting of July 24, 2003 as amended, seconded by Commissioner Ziegenhagen.

Motion carried with 4 "Aye" votes and one abstention by Commissioner Knueppel who was not in attendance at the July 24, 2003 meeting.

**MINUTES-
7/10/2003**

- II. The minutes from the meeting of July 10th were not ready for review. The minutes will be placed on the agenda for the next meeting.

**PUBLIC HEARING-
QUARRY
RECLAMATION
PLAN**

- III. Alderman Dorsan opened the public hearing for the Payne and Dolan/Vulcan Quarry Reclamation Plan at 7:34 p.m. after a brief presentation to the Commission and the Public by Mr. Clint Weninger with Payne and Dolan. The Reclamation Plan is required by both State law and PDD's #23 and #24 that regulate quarry operations and land use.

One person spoke on this issue, asking for a list of other sites Payne and Dolan has reclaimed and for photos of those sites.

No one else came forward and the public hearing was called to a close at 7: 45 p.m.

**PUBLIC HEARING
ON MURRAY
NATURAL
RESOURCE
SPECIAL
EXCEPTION
PETITION.**

- III. (Commissioner Ziegenhagen recused himself before the public hearing was opened.)
B. Alderman Dorsan opened the public hearing on the petition by Mr. and Mrs. Murray for a special exception to complete the dredging of their pond in a wetland at 8:28 p.m.

Six members of the public spoke against the petition. Bruce Taylor, City of Franklin Environmental and Drainage Technician asked the Commission to determine what an applicant is required to submit to the City for a request such as this and that if a special exception is given to provide detail on what the exception covers to aid him in his review of these requests.

No one else came forward and the public hearing was called to a close at 8:43 p.m.

**PUBLIC HEARING
ON
PIETRUSZYNSKI
AREA SPECIAL
EXCEPTION
PETITION**

- III. (Commissioner Ziegenhagen took his seat on the Commission before this item.)
C. Alderman Dorsan opened the Public Hearing on the petition of Mr. and Mrs. Pietruszynski for relief of three feet from the side yard offset regulations to allow him to pour a cement pad for storing his boat at 8:59 p.m.

One property owner to the east spoke against granting the special exception. The neighbor whose property is adjacent to the Pietruzsynski's property on the side where the pad is to be constructed spoke in favor of granting the special exception.

No one else came forward and the public hearing was called to a close at 9:02 p.m.

PUBLIC HEARING
ON MERTZ AREA
SPECIAL
EXCEPTION
PETITION

- III. Alderman Dorsan opened the public hearing on a petition by Mr. and Mrs. Mertz for relief of
D. 20 feet from the 45ft. front yard setback to allow their home to be constructed closer to the street at 9:10 p.m. One neighboring property owner spoke against the request because he was unsure of the affect on his property. One other person spoke against the request.

No one else came forward and the public hearing was called to a close at 9:20 p.m.

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Plan Commission
Minutes
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PUBLIC HEARING
ON A PETITION TO
RENEW THE
SPECIAL USE FOR
FRANKLIN
OAKS/THE VILLAS

- III. Alderman Dorsan opened the public hearing on a petition of Icon Development to renew the
E. special use for Franklin Oaks/The Villas development at 9:25. p.m.

No one came forward to speak and the public hearing was closed at 9:26 p.m.

REQUEST
APPROVAL TO
CHANGE FAÇADE
TREATMENT FOR
CHURCH
GYMNASIUM

- IV. Commissioner Knueppel moved to approve the change to the architectural treatment of the
A. approved gymnasium building as presented. Second by Commissioner Skowronski.

Upon voice vote, all voted "aye". Motion carried.

MURRAY
NATURAL
RESOURCE
SPECIAL
EXCEPTION
PETITION

- IV. Commissioner Ziegenhagen recused himself before this item was taken up.
B. After some discussion, the majority of the Plan Commissioners agreed that the Murray's must present a plan for the dredging operation and a copy of a plat that they claim was originally presented when they applied to the City for a permit a number of years ago. The plat might provide an answer to the question of how many acres of the pond were allowed to be dredged under the original ACOE and WDNR permits. They were also asked to provide documentation that the pond was present prior to the earliest orthophotos that indicate that there was no pond there in the mid 1960s.

The Environmental Commission recommended that the Common Council deny the request based on a finding that there was no compelling reason for the natural resource special exception and because it did not meet one of the required pieces of information asked for in the application, i.e. to describe in detail any impacts to the following functional values of the natural resource.

Commissioner Bennett moved to table the request until 1) the applicant can provide a plan for the operation, 2) a copy of the plat or map they claim they presented to the City when a permit was received some years ago, 3) that the applicant submit with their other documentation the information needed for a land disturbing permit. Second by Commissioner Ritter.

Upon voice vote, all voted 'aye'. Motion carried.

- IV. Plan Commissioners directed staff to 1) create a better application process for natural resource
B. special exceptions, 2) require applications to be submitted with a plan of the area, the proposed
(cont'd) special exception and any operations related to same, and 3) indicate what standards apply.

PIETRUSZYNSKI
AREA SPECIAL
EXCEPTION
PETITION

- IV. Commissioner Ziegenhagen resumed his seat before this item was taken up.
C. Motion by Commissioner Bennett to refer this matter back to staff for clarification of the required setback for boats from a property line and to ascertain whether the concrete pad would cause a drainage problem on the adjacent property. Second by Commissioner Ziegenhagen.

Upon voice vote, all voted 'aye'. Motion carried.

MERTZ AREA
SPECIAL
EXCEPTION
PETITION

- IV. Commissioner Ziegenhagen moved to table the item until the applicant can provide a drawing of his lot in relation to the adjacent lots and to consider reducing the amount of relief requested. Second by Commissioner Skowronski.

Upon voice vote, all voted 'aye'.

PETITION TO
RENEW THE
SPECIAL USE FOR
FRANKLIN
OAKS/THE VILLAS

- IV. Commissioner Skowronski moved to suspend the rules and take action on the request at this meeting. Second by Commissioner Bennett.

Upon voice vote, all voted "aye". Motion carried.

Commissioner Bennett moved to recommend approval of the renewal of the special use for Franklin Oaks/the Villas as presented. Second by Commissioner Skowronski.

Upon voice vote, all voted "aye". Motion carried.

FINAL PLAT FOR
SILVERWOOD
HEIGHTS
SUBDIVISION

- IV. Commissioner Ritter moved recommend approval of the Final Plat for Silverwood Heights residential subdivision. Second by Commissioner Knuettel.

Upon voice vote, all voted 'aye'. Motion carried.

CONCEPT REVIEW
FOR MIXED USE
COMMERCIAL
DEVELOPMENT
51ST AND WEST
RYAN ROAD.

- IV. Commissioners provided the applicant with comments and direction on their concept plan.
G. City Engineer Bennett stated that a cross access easement along the Ryan Road frontage of the property will be needed for future development to the west. City Engineer Bennett also requested that the City Engineering Department be included in any meetings between the developer and the WisDOT. Commissioners told the developer to take his concept plan to the Economic Development Commission for comments on the economics of what is being proposed.

No action needed. No action taken.

NATURAL
RESOURCE
SPECIAL
EXCEPTION FOR
CARITY LAND
CORP./PRAIRIE
GRASS PRESERVE

- IV. Commissioners concurred that the special exception to the natural resource regulations was appropriate in this instance because of the unique nature of the prairie that will be preserved as a result.
H.

Commissioner Skowronski moved to recommend approval of the special exception and that the recommendation to the Common Council be written by the Planning Manager. Second by Commissioner Knuettel.

Upon voice vote, all voted 'aye'. Motion carried

The Environmental Commission recommended to the Common Council to grant the special exception because of the importance of preserving the prairie and because the special exception to fill certain wetlands for additional buildable lots is an offset to the hardship imposed on the developer by preserving the prairie.

SIGN REVIEW
PDD #29 MOVIE
THEATER

- IV. Commissioner Skowronski moved to recommend approval of the Showtime Cinema sign with the changes presented. Second by Commissioner Ziegenhagen.
I.

Upon voice vote, all voted 'aye'. Motion carried

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FINAL PLAT FOR
WYNDHAM RIDGE
SUBDIVISION

- IV. Commissioner Bennett moved to recommend approval of the final plat for Wyndham Ridge residential subdivision. Second by Commissioner Ritter.

Upon voice vote, all voted 'aye'. Motion carried

RESOLUTION FOR
MENARD'S SITE
PLAN ON SOUTH
LOVER'S LANE

- IV. Commissioner Bennett moved to approve the site plan for the Menard's Home Improvement Store subject to a prohibition to be included in the approving resolution that snow storage shall be limited to areas shown on the approved site plan. Second by Commissioner Skowronski.

Upon voice vote, all voted 'aye'. Motion carried

DEDICATION OF
RIGHT-OF-WAY ON
WEST PUETZ ROAD
AND SOUTH 27TH
STREET

- IV. Commissioner Bennett moved to recommend acceptance of the right-of-way dedication by L. warranty deed. Second by Commissioner Ritter.

Upon voice vote, all voted 'aye'. Motion carried.

NEXT REGULARLY
SCHEDULED
MEETINGS
ADJOURNMENT

- IV. August 21, 2003
M. September 4, 2003
V. Commissioner Ritter moved to adjourn. Second by Commissioner Skowronski.

Upon voice vote, all voted 'aye'. Motion carried. The meeting was adjourned at 10:21 p.m.